



Iowa Statewide Emergency Solutions Grant (ESG) Program

Application Threshold Assurances

Instructions: Carefully read all threshold assurances below. An authorized agency representative must sign agreement with these assurances. This form must then be submitted with the agency's Iowa Statewide ESG program application, in the Exhibits section.

Agency Requirements

- *Agency Eligibility.* The agency is a 501(c) not-for-profit organization, or a public body/unit of government, not to include local public housing authorities.
- *Non-discrimination.* The agency practices non-discrimination in accordance with all applicable federal and state regulations. These include the requirements in 24 CFR part 5, the prohibitions against discrimination against disabled individuals under Section 504 of the Rehabilitation Act of 1973/Americans with Disabilities Act, the nondiscrimination and equal opportunity requirements under 24 CFR Part 576.407(a), and the prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101-07).
- *Requirements for Religious Organizations.* The agency will not engage in religious proselytizing or counseling utilizing these grant funds, will not require attendance at religious services as a requirement or condition to receive services, and will not limit services or give preference to persons on the basis of religion.
- *Voluntary Board.* If a private organization, the agency has a voluntary board.
- *Fair Housing Requirements.* The agency will comply with all applicable provisions of the Americans with Disabilities Act (42 U.S.C. 12101–12213) and implementing regulations at 28 CFR part 35 and part 36 (public accommodations and requirements for certain types of short-term housing assistance).
- *Affirmative Action.* The agency will comply with all affirmative action requirements as implemented with Executive Orders 11625, 12432, and 12138, which require that every effort be made to solicit the participation of minority and women business enterprises (MBE/WBE) in governmental projects.
- *Affirmative Outreach.* The agency will adopt procedures to ensure that all persons who qualify for the assistance, regardless of their race, color, religion, sex, age, national origin, familial status, or disability, know of the availability of the ESG services and assistance, including facilities and services accessible to persons with a handicap, and maintain evidence of implementation of the procedures. Consistent with Title VI and Executive Order 13166, the Recipient must also take reasonable steps to ensure meaningful access to programs and activities for limited English proficiency persons.

- *Job Training and Employment for Low-income Residents.* The agency will comply with Section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. 1701u, and implementing regulations at 24 CFR part 135, except that homeless individuals have priority over other Section 3 residents in accordance with § 576.405(c).
- *Uniform Administrative Requirements.* The agency will comply with the requirements of 24 CFR Part 84, if the agency is a non-profit organization, except that 24 CFR 84.23 and 84.53 do not apply.
- *Solid Waste Disposal Act.* The agency will comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act.
- *Drug-Free Workplace.* The agency will comply with the Drug-Free Workplace Act of 1988 and HUD's implementing regulations at 24 CFR Part 24.
- *Contracting.* The agency will avoid using federally disbarred, suspended, or ineligible contractors for ESG-related expenses, according to 24 CFR Part 24.
- *Lead-based Paint.* The agency will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821–4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851–4856), and implementing regulations in 24 CFR part 35, subparts A, B, H, J, K, M, and R, as applicable.

Financial Requirements

- *Accordance with Rules and Regulations.* If awarded funds, all grant-funded activities shall be performed in accordance with the federal ESG rules and regulations at 24 CFR Part 576, as amended by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act, and in accordance with all applicable State of Iowa Administrative Rules, including any rules adopted to implement the federal ESG rules and regulations, and the applicable HUD-approved Consolidated Plan and Annual Action Plan for Iowa, as they may be amended.
- *Documentation of Expenditures.* The agency will expend monies only on eligible costs and keep and submit documentation as required (copies of cancelled checks, invoices, receipts, etc.) for all expenditures.
- *Audit.* The agency will conduct an annual audit or can provide independent certification on financial sources of income and the receipt/disbursement of federal and state funds, as approved by the Iowa Finance Authority.
- *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Guidance.* The agency will comply with the requirements of 2 CFR Part 200, if the agency is a non-profit organization or governmental entity.
- *Internal Controls.* The agency has sufficient internal controls to maintain oversight and control of its cash, property, and other assets, including the following basic elements: an organizational chart showing lines of financial responsibility, written position descriptions that describe financial responsibilities, written policy manual specifying financial procedures and responsibilities, written procedures for recording financial transactions, an accounting manual and chart of accounts, adequate separation of financial duties, personnel policies to ensure adequate staff qualifications regarding financial responsibilities, adequate controls for access to accounting and confidential records, and procedures for regular reconciliation of financial records.

- *Matching Contributions.* The agency will make matching contributions to supplement the Recipient's ESG program, up to an amount that equals the amount of ESG funds received, as specified in the Iowa Statewide ESG competition rules. Matching contributions must be made in accordance with the federal regulations at 24 CFR Part 576.201. Matching contributions may be obtained from any source, including any Federal source other than the ESG program, as well as state, local, and private sources, providing that the laws governing the matching funds allow it, and that ESG funds are not also used as match for the same Federal program used as ESG match. Contributions used to match a previous ESG grant may not be used to match this grant.

General Program Requirements

- *Confidentiality.* The agency will implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter. In addition, the agency will develop and implement written procedures to ensure that all records containing personally identifying information of any individual or family who applies for and/or receives ESG assistance will be kept secure and confidential;
- *Documentation of Homelessness.* The agency will maintain in client files adequate documentation of homelessness or at risk of homelessness status to determine the eligibility of persons served, according to the most current definition of homelessness from the U.S. Department of Housing and Urban Development at 24 CFR Part 91.5.
- *Data and Reporting Requirements.* The agency will submit the minimum client demographic information utilizing the ServicePoint Iowa Homeless Management Information System (HMIS) or other means subject to agreement with the Authority, and in compliance with HUD's HMIS Data and Technical Standards and as described in program rules. If the Recipient qualifies as a domestic violence service provider (a provider primarily or exclusively serving clients who are homeless due to domestic violence), the Recipient shall submit information in a database that meets HUD's standards as a comparable database; such database may be subject to prior approval by the Authority.

The agency shall submit required documents to the approved HMIS lead agency or comparable database lead agency, which may include, but is not limited to, the following: a User Confidentiality and Responsibility Certification for each system user; a Minimum Required Data Set agreement for each system user; a Memorandum of Understanding between the Recipient and the approved HMIS lead agency or comparable database lead agency; and/or other documents as the Authority determines necessary.

If the agency is part of any HMIS data sharing group, the agency will coordinate with the HMIS lead agency to submit any additional documentation required to support this arrangement.

The agency will also provide all other reports to the Iowa Finance Authority as required.

- *Termination of Assistance.* The agency will establish and implement a formal notification and appeals process for the termination of assistance to individuals or families who violate program requirements, in accordance with the minimum standards of 24 CFR Part 576, the federal ESG Rules and Regulations.
- *Access to Mainstream Services and Resources.* The agency will ensure that all program participants are assisted, to the maximum extent practicable, in obtaining mainstream services and financial

assistance, including housing, health, social services, employment, education, and youth programs for which participants may be eligible.

- *Accessibility.* The agency will ensure that their grant-funded program or activity is readily accessible to and usable by individuals with disabilities, including providing reasonable accommodations so that individuals with disabilities have an equal opportunity to participate.
- *Coordination with Other Homeless Services.* The agency will coordinate and integrate, to the maximum extent practicable, grant-funded activities with other homeless service programs in the community.
- *Coordinated Entry.* The agency will participate in a coordinated entry system, beginning at such time as the HUD-recognized Continuum of Care operating in the agency's geographic area has developed and implemented a system that meets the minimum requirements of the U.S. Department of Housing and Urban Development (HUD)'s Continuum of Care Interim Rule for such systems. Such a system must include provisions to meet the separate requirements of agencies which are victim service providers.
- *Period of Assistance.* If ESG funds are used for shelter operations or essential services related to street outreach or emergency shelter, the agency will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long as the applicant serves the same type of persons (e.g., families with children, unaccompanied youth, veterans, disabled individuals, or victims of domestic violence) or persons in the same geographic area.
- *Involvement of Homeless Individuals.* To the maximum extent possible, the agency will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted with ESG funds, in providing services assisted with ESG funds, and in providing services for occupants of facilities assisted with ESG funds.
- *Organizational Conflicts of Interest.* The provision of any type or amount of ESG assistance will not be conditioned on an individual's or family's acceptance or occupancy of emergency shelter or housing owned by the agency, or a parent or subsidiary of the agency. No agency will, with respect to individuals or families occupying housing owned by the agency, or any parent or subsidiary of the agency, carry out the initial evaluation required under 24 CFR Part 576.401 or administer homelessness prevention assistance under Part 576.103.
- *Individual Conflicts of Interest.* For the procurement of goods and services, the agency will comply with the codes of conduct and conflict of interest requirements under 24 CFR 85.36 (for governments) and 24 CFR 84.42 (for private nonprofit organizations). For all other transactions and activities, the following restrictions apply: No person who exercises or has exercised any functions or responsibilities with respect to activities assisted under the ESG program, or who is in a position to participate in a decision-making process or gain inside information with regard to activities assisted under the program, may obtain a financial interest or benefit from an assisted activity; have a financial interest in any contract, subcontract, or agreement with respect to an assisted activity; or have a financial interest in the proceeds derived from an assisted activity, either for him or herself or for those with whom he or she has family or business ties, during his or her tenure or during the one-year period following his or her tenure.

Requirements for Specific Types of Assistance

- If awarded funds to provide Shelter assistance, the agency agrees to the following:
 - a. *Prohibition Against Involuntary Family Separation.* The age of a child under age 18 must not be used as a basis for denying any family's admission to an emergency shelter that uses Emergency Solutions Grant (ESG) funding or services and provides shelter to families with children under age 18.
 - b. *Lead-based Paint.* The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821–4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851–4856), and implementing regulations in 24 CFR part 35, subparts A, B, H, J, K, M, and R apply to all shelters assisted under ESG program and all housing occupied by program participants.
 - c. *Habitability Standards.* The agency will ensure shelter and housing facilities funded through ESG adhere to minimum habitability standards for being safe, sanitary, and adequately maintained, according to the full regulations at CFR Part 576.403. Standards include considerations for the following: 1) Structure and materials, 2) Access, 3) Space and security, 4) Interior air quality, 5) Water supply, 6) Sanitary facilities, 7) Thermal environment, 8) Illumination and electricity, 9) Food preparation, 10) Sanitary conditions, and 11) Fire safety.
 - d. *Transitional Housing Requirement.* If applying for Shelter funds to support a transitional housing program, the agency certifies that it received funding from the Iowa statewide ESG program during the grant period from 7/1/2010 through 12/31/2010 in the category of Shelter Essential Services or Shelter Operations.
- If applying for funds to provide Homeless Prevention and/or Rapid Rehousing assistance, the agency agrees to the following:
 - a. *Income Limits.* Assistance shall only be provided to individuals and families who have an annual income below 30% of median family income for the area, as determined by HUD. An exception to this requirement exists for assessing income at the time of intake for Rapid Rehousing assistance only.
 - b. *Case Management Assistance.* The agency will ensure that each client meets at least monthly with a case manager (except where prohibited by the Violence Against Women Act and the Family Violence Prevention and Services Act), and the Agency must develop an individualized plan to help the client regain long-term housing stability.
 - c. *Fair Market Rent and Rent Reasonableness.* The agency will ensure that rental assistance is provided for units only in accordance with HUD's restrictions for Fair Market Rent at 24 CFR Part 982.503 and Rent Reasonableness standards at 24 CFR Part 982.507.
 - d. *Lead-based Paint.* The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821–4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851–4856), and implementing regulations in 24 CFR part 35, subparts A, B, H, J, K, M, and R apply to all shelters assisted under ESG program and all housing occupied by program participants.

- e. *Habitability Standards.* The agency will ensure that permanent housing assistance funded through ESG adhere to minimum habitability standards for being safe, sanitary, and adequately maintained, according to the full regulations at CFR Part 576.403. Standards include considerations for the following: 1) Structure and materials, 2) Space and security, 3) Interior air quality, 4) Water supply, 5) Sanitary facilities, 6) Thermal environment, 7) Illumination and electricity, 8) Food preparation, 9) Sanitary conditions, and 10) Fire safety.
- f. *Period of Assistance.* Except for housing stability case management, the total period for which any program participant may receive Services under this section may not exceed 24 months during any 3-year period.
- g. *Use with Other Subsidies.* Homeless Prevention assistance under this section cannot be provided to a program participant who is receiving the same type of assistance through other public sources for the same period of time.
- h. *Rental Assistance Agreements.* The agency may only make rental assistance payments to a landlord with whom the agency has entered into a rental assistance agreement, which sets forth the terms of assistance and requires the landlord to provide a copy to the agency of any eviction notice or complaint used to begin an eviction action.
- i. *Late Payments.* If the agency is late on any payments to landlords agreed to in the Rental Assistance Agreement, the Recipient must pay any late fees out of non-ESG funds.
- j. *Lease.* Each program participant receiving rental assistance (unless solely for arrears) must have a legal written lease with the landlord.

As a duly authorized representative of the agency listed below, I certify that if awarded funds through the ESG program, the agency will comply with assurances in this document.

I also certify to the best of my knowledge, all information in the application submitted is accurate and complete.

Agency Name

Signature of Authorized Representative

Name of Authorized Representative

Title

Date